

The Rhode Island Fire Safety Code Board of Appeal and Review met at its headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, July 30, 2013 at 1:00 P.M. Present were Chairman Newbrook, Vice Chairperson Filippi and Commissioners Booth, Pearson, Thornton, Jackson, Sylvester, Burlingame, Blackburn and Richard. Commissioner Walker was absent. Also present were Executive Director Thomas B. Coffey, Jr. and Administrative Assistant Desiree Campanini.

The following cases were heard.

APPEAL #130134: Ms. Michele Palmieri, for the property located at 4 Commercial Wharf, Newport. ADSFM Christopher Mahoney and ADSFM Wayne Clark appeared for the Newport Fire Marshal's Office. Chief Scott Caron appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Jackson, to grant the Applicant a time variance in order to finish the summer events that had been booked in advance. The Applicant is requesting a variance during this time to put a plan of action together with the Newport Fire Marshal, on festival seating. The motion was unanimous.

APPEAL #110120B: Mr. Hampton Hodges, for the property located at 334 Knight Street, Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Pearson, to extend the original

decision in File #110120 to allow the Applicant to maintain this variance until the new owner takes over this property. At that time the new owner(s) must re-petition the Board. The motion passed with Commissioner Thornton abstaining from the vote.

APPEAL #130129: Johnson and Wales University, for the property located at 35 Richmond Street, Providence. Commissioner Thornton recused herself from consideration of this case. Commissioner Blackburn made a motion, seconded by Commissioner Richard, to grant the Applicant's request for a variance to be allowed to use PVC piping in the raceway and through the garage areas that are exposed to the elements. The Board advised the Applicant that they must have a municipally connected fire alarm system. The motion passed.

APPEAL # 130124: Mr. Jim Piquette, for the property located at 1000 New London Avenue, Cranston. ADSFM Stephen MacIntosh appeared for the Cranston Fire Marshal's Office. Chief Scott Caron appeared for the State Fire Marshal's Office. Commission Blackburn recused himself from consideration of this case. Commissioner Richard made a motion, seconded by Commissioner Thornton, to accept the Applicant's plan of action for the Spooky World Haunted House. The Board also granted the Cranston Fire Marshal's Office the authority to authorize this event on a yearly basis. The motion passed with Commissioner Burlingame opposing the vote.

APPEAL #130132: Mr. David Lucas, for the property located at 150

Airport Street, North Kingstown. DSFM Michael Macaruso appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Booth, to grant the Applicant a one-time variance for a change of occupancy, for a single function for 200 people, with no objection from the State Fire Marshal's Office. The motion was unanimous.

APPEAL #130131: Rev. Timothy Lemlin, for the property located at 126 Legris Avenue, West Warwick. DSFM Thomas Dettore appeared for the State Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Vice Chairperson Filippi and Commissioners Richard and Sylvester, to grant the Applicant a time variance of thirty (30) days to submit a plan of action to the State Fire Marshal's Office to bring this facility into compliance and an additional 150 days to implement that plan, with the State Fire Marshal's Office authorized to extend the above deadlines, if a good faith effort is being shown by the Applicant. The motion was unanimous.

APPEAL #130034A: Ocean House Hotel Partners, for the property located at 40 First Street, Westerly. DSFM Christine Kent appeared for the State Fire Marshal's Office. The Applicant and the State Fire Marshal's Office is requesting that a modification to the original decision be made, which will allow the applicant to install mini horns versus strobe lights. Commissioner Pearson made a motion, seconded by Commissioner Richard, to grant the Applicant's request to modify the original decision. The motion was unanimous.

APPEAL # 100118: Jenkins Construction, for the property located at 1150 Aquidneck Avenue, Middletown. ADSFM Robert McCall appeared for the Middletown Fire Marshal's Office. Commissioner Pearson made a motion, seconded by Commissioner Richard, to reaffirm the Fire Marshal's position that a fire alarm system is not required in this facility, pursuant to the provisions of the 2012 Fire Code. The motion was unanimous.

APPEAL #100147: Mr. Chris Bouzaid, for the property located at 747 Aquidneck Avenue, Middletown. ADSFM Robert McCall appeared for the Middletown Fire Marshal's Office. Commissioner Richard made a motion, seconded by Commissioner Sylvester to grant the Applicant a time variance of thirty (30) days to submit a plan of action to the Middletown Fire Marshal's Office to bring this facility into full compliance with the fire code and an additional 150 days to implement that plan, with the Middletown Fire Marshal's Office authorized to extend the above deadline, if a good faith effort is being shown by the Applicant. The motion was unanimous.

Subcommittee Recommendations:

The Technical Subcommittee recommended that the full Board adopt Blanket Variance 13-04. Commissioner Booth made a motion, seconded by Commissioner Richard, to accept the recommendation of the technical subcommittee. The motion passed with

Commissioner Burlingame opposing the vote.

The Technical Subcommittee recommended that the full Board adopt Blanket Variance 13-05. Commissioner Richard made a motion, seconded by Commissioner Thornton to accept the recommendation of the technical subcommittee. The motion passed with Commissioners Pearson, Jackson and Burlingame opposing the vote.

**Respectfully submitted,
Desiree Campanini**